

**REMARKS**

Claims 1-24 are pending in this application. Claims 18-24 have been added above. Support for claim 18 comes from claim 1 as originally presented and corrects an error in claim 4 as originally presented. Claim 4 originally provided that A could be  $\text{CH}_2\text{CHCOOH}$ , but the  $-\text{COOH}$  portion of this group is provided by  $\text{R}_2$ , rather than A. Group A as defined in claim 1 does not comprise a  $-\text{COOH}$  group. New claim 19 corresponds to claim 9 but is dependent on claims 15 and 16. New claim 20 corresponds to claim 10 but is dependent on claim 19. New claim 21 corresponds to claim 11 but is dependent on claims 15 and 16. New claim 22 corresponds to claim 12 but is dependent on claim 21. New claim 23 corresponds to claim 13 but is dependent on claim 22. New claim 24 corresponds to claim 14 but is dependent on claims 15 and 16.

A number of other minor amendments have been made above. Claims 2 and 17 have been amended to have the language regarding stereoisomers and salts conform with the language of claim 1. Claims 3, 4, 5 and 6 have been amended to refer to a singular compound rather than to multiple compounds, again to conform with the language of claim 1. Claim 6 also has been amended to correct an error similar to that in claim 4 discussed above.

Claims 12 and 13 have been rejected on the basis that the claims dependencies were improper. Applicants submit that this rejection has been obviated by the

amendments above to claims 12 and 13. Support for the amendments comes from claims 9 and 10, respectively.

The examiner noted that the subject matter of claim 8 (the elected species) remains free of the prior art but that the claim is objected to as dependent upon a rejected base claim. As discussed below, claim 1 has been amended to overcome the rejection.

Claims 1-7 and 9-17 have been rejected under 35 U.S.C. §102(b) as clearly anticipated by *J. Chem. Soc.* (1952), p. 137-141 (CAPLUS abstract). The examiner asserted that the reference teaches Applicants' compound, as disclosed as RN=879123-37-2. This rejection is traversed.

Claims 1 and 15 have been amended to exclude from the scope of the claim compounds in which Y is an alkoxy group. These amendments clearly distinguish the compounds encompassed by claim 1 from the compound 60330-48-5 of the cited reference. The prior art compound comprises a  $-C(O)-CH_2-CH(COOH)-NH-CO-OEt$  group attached to the benzene ring. In the compounds of claims 1 and 15 as amended, the corresponding group has the formula  $-C(O)-CH_2-CH(COOH)-NH-X-Y$ , wherein X can be a  $>CO$ ,  $>CS$  or alkylene group and Y is any of a wide variety of substituents other than an alkoxy group. There is no teaching or suggestion in the cited reference of a compound in which the terminal  $-NH-CO-$  group carries any of the substituents listed in claim 1. As claims 1 and 15 are not anticipated by the reference, neither are any of the claims dependent upon claim 1.

Although independent claims 16 and 17 were included within this rejection, neither claim is anticipated by the cited abstract. In claim 16, the benzene ring of the compounds claimed carries, in addition to a (substituted) amino group and the carbonyl-containing substituent, an additional non-hydrogen substituent. The reference does not disclose such compounds. Claim 17 is directed to compounds of formula (I) wherein Y is an optionally substituted 2-furyl, 2-dihydrofuryl or 2-tetrahydrofuryl group, or Y is hydrogen or a ring-substituted styryl group, all of which are significantly different from an alkoxy group.

Applicants submit that in view of the foregoing amendments and discussion the pending claims of the application are in condition for allowance.

<input checked="" type="checkbox"/> Customer Number or Bar Code Label <b>6449</b>					
Name	Barbara G. Ernst, Reg. No. 30,377				
Signature	/ Barbara G. Ernst /			Date	June 4, 2009
Address	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031